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*Attorneys for Plaintiff Byrna Technologies, Inc.*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BYRNA TECHNOLOGIES, INC., a Delaware corporation,

Plaintiff,

vs.

DUKE DEFENSE USA, INC., a Delaware corporation; BOUGIEFIT, LLC, a Nevada limited liability company; ZYN APPAREL, a Delaware limited liability company; REILLY SCHUELER, an individual; BENJAMIN M. FLAM; an individual; JONATHAN COBB SANDERS, an individual; RANDALL CLIFTON, an individual; DENI STRAHL, an individual; BRAD THOMAS, an individual; APRIL WOODWARD, an individual; and TYLER AKIN, an individual,

Defendants.

Case No.: 2:21-cv-01559-APG-NJK

**ORDER EXTENDING THE:**

- (1) TEMPORARY RESTRAINING ORDER AS TO DEFENDANT THOMAS; AND**
- (2) TIME FOR DEFENDANT THOMAS TO RESPOND TO ECF NO. 14**

**(FIRST REQUEST)**

1 Plaintiff Byrna Technologies, Inc. (“Byrna” or “Plaintiff”), by and through its undersigned  
2 counsel, and Defendant Brad Thomas, *pro se*, hereby stipulate and agree as follows:

3 1. Plaintiff filed a Complaint and Request for Injunctive Relief (ECF No. 1) and a Motion  
4 for Temporary Restraining Order (ECF No. 6) on August 23, 2021.

5 2. The Court issued a Temporary Restraining Order on August 24, 2021 and provided that  
6 if Plaintiff filed a new motion for a temporary restraining order or a motion for preliminary injunction,  
7 Defendants would have four business days thereafter to respond. ECF No. 10.

8 3. Defendant Thomas was personally served with the Summons, Complaint, Motion for  
9 Temporary Restraining Order, and Temporary Restraining Order on August 25, 2021. His response to  
10 the Complaint is currently due on or before September 14, 2021. Defendant Thomas was served with  
11 Plaintiff’s Motion for Preliminary Injunction on August 24, 2021. His response to the Motion for  
12 Preliminary Injunction is due on August 30, 2021.

13 4. Defendant Thomas has notified Plaintiff’s counsel that he is working to secure Nevada  
14 counsel and needs additional time to respond to Plaintiff’s Motion for Preliminary Injunction.

15 5. To accommodate Defendant Thomas’s request, Plaintiff and Defendant Thomas agree  
16 that:

- 17 a. Defendant Thomas shall have until September 10, 2021 to file his response, if  
18 any, to Plaintiff’s Motion for Preliminary Injunction (ECF No. 14); and  
19 b. Plaintiff shall have until September 17, 2021 to file its reply, if any, in support of  
20 its Motion for Preliminary Injunction as it pertains to Defendant Thomas.

21 6. Plaintiff and Defendant Thomas further agree that:

- 22 a. the Temporary Restraining Order, including any amendment or supplement  
23 thereof by the Court, shall be binding upon and remain in full force and effect as  
24 to Defendant Thomas, pursuant to Fed. R. Civ. P. 65(b)(2), until such time as the  
25 Court rules on Plaintiff’s Motion for Preliminary Injunction as it pertains to  
26 Defendant Thomas (the “Restrictive Period”).  
27 b. During the Restrictive Period, Defendant Thomas shall not, for any purpose,  
28 directly or indirectly, use, appropriate, disclose or disseminate to any other person

1 or entity, or otherwise employ, any of Plaintiff's confidential information or trade  
2 secrets, or assist any other person or entity in engaging in such activities.

3 c. During the Restrictive Period, Defendant Thomas shall not, directly or indirectly,  
4 be employed by, provide services or assistance to, or otherwise engage in any  
5 business, commercial, or professional relationship or dealings with Defendants  
6 Duke Defense USA, Inc. (or any of its parents, subsidiaries, and/or affiliates),  
7 BougieFit, LLC (or any of its parents, subsidiaries, and/or affiliates), Tyler Akin,  
8 Benjamin Flam, Reilly Schueler, Randall Clifton, Jonathan Cobb Sanders, Deni  
9 Strahl, or April Woodward, provided, however, that this Paragraph 6(c) does not  
10 prohibit Defendant Thomas from owning and/or operating Defendant Zyn  
11 Apparel in conjunction with Defendant Sanders so long as such operation does  
12 not otherwise violate the terms of the Temporary Restraining Order or this  
13 Stipulation.

14 d. Defendant Thomas shall locate and deliver the 64 GB Memory Card, Toshiba  
15 External USB 3.0 – Serial No. 20200118012909F, Samsung PSSD T7 – Serial  
16 No. S5TCNJ0N600924B, and REALSIL RTSUERLUN0 Drive/Card to  
17 Plaintiff's forensic examiner (HOLO Discovery, 3016 W Charleston Blvd Suite  
18 #170, Las Vegas, NV 89102) for forensic imaging and examination, and shall use  
19 his best efforts to do so by September 3, 2021.

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1           7.       Neither this Stipulation nor the extensions provided herein shall effect the Court's ability  
2 to rule upon or grant the relief requested in Plaintiff's Motion for Preliminary Injunction as it pertains  
3 to other parties. Further, nothing in this Stipulation shall be construed as effecting the validity or  
4 effectiveness of the Temporary Restraining Order as to other parties. Moreover, the purpose of this  
5 Stipulation is for scheduling purposes, and nothing in this Stipulation shall be construed to be an  
6 admission by any party, nor shall it be used for or against any party as it relates to the merits of any  
7 allegation in the case, including but not limited to the merits of the Temporary Restraining Order or  
8 Plaintiff's Motion for Preliminary Injunction.

9           DATED this 30<sup>th</sup> day of August, 2021.

10  
11           JACKSON LEWIS, P.C.

BRAD THOMAS

12           /s/ Joshua A. Sliker

12           /s/ Brad Thomas

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18           Las Vegas, Nevada 89101

19           *Attorneys for Plaintiff*

20           *Byrna Technologies, Inc.*

21           IT IS SO ORDERED.

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23           United States District Court Judge

24           Dated: August 31, 2021